

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UMAR ALLI,

23-cv-4699 (JGK)

Plaintiff,

ORDER

- against -

ESU OFFICER PALMER, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The Court is in receipt of the submission from the New York City Department of Corrections ("DOC") indicating that three of the defendants could not be identified for purposes of requesting the waivers of service of summonses described in the Court's July 5, 2023 Order of Service (ECF No. 8). DOC Aug. 4, 2023 Submission, ECF No. 12. Those three defendants are ESU Officer Palmer, ESU Captain Alexis, and the "Warden of MDC John Doe."¹

With respect to the Warden of MDC, DOC states that it needs "more information for identification." ECF No. 12. However, the allegations in the plaintiff's complaint pertain to incidents that allegedly occurred at MDC beginning in July 2020 and continuing thereafter, through at least May 2022. Compl., ECF No. 1, at 5-6.² There is only one official with the title of Warden of MDC at any given time. Thus, based on the dates in the complaint, DOC and

¹ "ESU" refers to DOC's Emergency Services Unit. "MDC" refers to the Manhattan Detention Complex.

² Citations to the plaintiff's complaint use the pagination in the ECF ribbon stamped at the top of each page.

Corporation Counsel should be able to readily discern the identity of the person who served as the Warden of MDC during the relevant time frame (or, if the Warden changed in that time period, the identity of the Warden as of July 2020 and his or her successor).

With respect to ESU Officer Palmer, DOC represents that there is more than one "Officer Palmer at ESU." ECF No. 12. However, the complaint refers specifically to an ESU Officer Palmer who was on duty at MDC on or about July 29, 2020. Compl. at 5. Using these details and the defendant's ESU rank, DOC and Corporation Counsel should consult their records and determine the identity and badge number of the relevant ESU Officer Palmer.

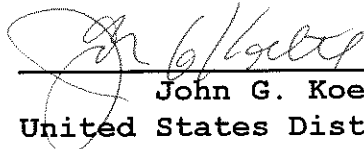
With respect to ESU Captain Alexis, DOC represents that no Captain Alexis works at ESU, and that "more information" is needed. The complaint indicates that ESU Captain Alexis was on duty at MDC on or about July 31, 2020. Compl. at 6. Using these details and the defendant's ESU rank, DOC and Corporation Counsel should consult their records to determine the identity of ESU Captain Alexis and his or her badge number.

DOC and Corporation Counsel shall promptly seek to identify these three defendants, as specified above, and relay this Court's request for a waiver of service of summonses to those defendants. By **August 31, 2023**, DOC and/or Corporation Counsel shall file the defendants' responses to that request (including any waivers of service of summonses), or alternatively, an explanation as to why those defendants' responses to the request could not be obtained.

The Clerk is directed to mail a copy of this Order to the pro
se plaintiff and to note such mailing on the docket.

SO ORDERED.

Dated: New York, New York
August 9, 2023



John G. Koeltl
United States District Judge